

**ORDINANCE NO. 2016 - \_\_\_\_**  
**CITY OF CAVE SPRINGS, BENTON COUNTY, ARKANSAS**

**AN ORDINANCE FOR REZONING; A LOT-SPLIT AND REZONING OF AN ORIGINAL TRACT CONTAINING 5.38 ACRES ZONED A-1 GENERAL AGRICULTURAL DISTRICT. THE LOT-SPLIT CONSISTED OF TWO (2) NEWLY CREATED TRACTS, WITH TRACT 1 CONTAINING 1.17 ACRES REZONED TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT AND TRACT 2 CONTAINING 4.0 ACRES REZONED TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT.**

**WHEREAS**, applications for both a Lot-Split and a Rezoning were filed with the Planning and Development Department of City of Cave Springs, Arkansas, on the 17<sup>th</sup> day of May 2016 by Robert D. and Rhoda C Barenberg, requesting a Lot-Split and a Rezoning of an original tract containing 5.38 acres zoned A-1 General Agricultural District. The Lot-Split consisted of two (2) newly created tracts with proposed Tract 1 containing 1.17 acres that was rezoned to an R-1 Single Family Residential District and proposed Tract 2 containing 4.0 acres was rezoned to an R-1 Single Family Residential District; and

**WHEREAS**, after due notice, as required by law, at a regular meeting held June 7, 2016, at the time and place mentioned in all notifications, heard by all persons desiring to be heard on the question and as ascertained of the requested Lot-Split and Rezoning, the Cave Springs Planning Commission (CSPC), voted unanimously recommending APPROVAL to the City Council of Cave Springs of the following; Lot-Split and Rezoning request by the owners and applicants, Robert D. and Rhoda C Barenberg, for real estate described to-wit:

**CSLS-16-01 and CSZ-16-02 | Barenberg:**

The applicants, Robert D. and Rhoda C Barenberg, request a Lot-Split (CSLS-16-01) and a Rezoning (CSZ-16-02) of an original tract containing 5.38 acres zoned A-1 General Agricultural District. The Lot-Split will consist of two (2) newly created tracts with proposed Tract 1 containing 1.17 acres that will be rezoned to an R-1 Single Family Residential District and proposed Tract 2 containing 4.0 acres will be rezoned to an R-1 Single Family Residential District.

**ADDRESS:** 835 Ford Lane, Cave Springs, AR 72718

**PARENT PARCEL:** 05-10036-058

**STR:** Section 7, Township 18 North, Range 30 West

**PARENT TRACT LEGAL:** A part of the SE/4 of the NE/4 of Section 7, Township 18 North, Range 30 West, Benton County, Arkansas, being more particularly described as follows: Beginning at a point which is N 0°03'37" W 3257.18 feet from the SE corner of said Section 7, Thence N 0°03'37" W 311.15 feet, Thence N 84°38'39" W 323.92 feet, Thence N 70°37'44" W 344.42 feet to a found iron pin, Thence S 2°32'22" E 469.48 feet, Thence N

88°46'34" E 627.09 feet to the point of Beginning, containing 5.38 acres, more or less

**PARENT LOT SIZE:** 5.38 acres (234,353 ft<sup>2</sup>)

**Tract 1 | Rezone to R-1 Single Family Residential District:**

Part of the SE/4 of the NE/4 of Section 7, Township 18 North, Range 30 West, Benton County, Arkansas, Being More Particularly described as follows: Commencing at the NE corner of said SE/4 of the NE/4, Thence along the east line of said SE/4 of the NE/4 S 02°21'00" W 394.18 feet, Thence N 82°04'51" W 30.14 feet to the point of beginning, Thence S 02°44'49" W 182.97 feet along the west right-of-way of Ford Road to a set iron pin, Thence N 88°50'31" W 242.74 feet, Thence N 5°25'16" W 216.65 feet to a found iron pin, Thence S 82°04'51" E 274.54 feet to the point of beginning, containing 1.17 acres and subject to the right-of-way of Ford Road and subject also to any and all other easements of record or fact.

**Tract 2 | Rezone to R-1 Single Family Residential District:**

Part of the SE/4 of the NE/4 of Section 7, Township 18 North, Range 30 West, Benton County, Arkansas, Being More Particularly described as follows: Commencing at the NE corner of said SE/4 of the NE/4, Thence along the east line of said SE/4 of the NE/4 S 02°21'00" W 394.97 feet, Thence N 82°04'51" W 30.14 feet, Thence S 02°44'49" W 182.29 feet along the west right-of-way of Ford Road to a set iron pin at the point of beginning, Thence continuing along said right-of-way S 02°48'41" W 131.64 feet, Thence N 88°42'07" W 597.56 feet, Thence N 00°10'47" E 469.41 feet to a found iron pin. Thence S 68°10'28" E 344.90 feet to a found iron pin, Thence S 5°26'16" E 216.65 feet, Thence S 88°50'31" E 242.74 feet to the point of beginning, containing 4.00 acres and subject to the right-of-way of Ford Road and subject also to any and all other easements of record or fact.

**NOW, THEREFORE,** be it enacted by the City Council of the City of Cave Springs as follows;

**Section 1.** That the above described real estate be APPROVED for a Lot-Split (CSLS-16-01) and a Rezoning (CSZ-16-02) of an original tract containing 5.38 acres zoned A-1 General Agricultural District. The Lot-Split will consist of two (2) newly created tracts with proposed Tract 1 containing 1.17 acres that will be rezoned to an R-1 Single Family Residential District and proposed Tract 2 containing 4.0 acres will be rezoned to an R-1 Single Family Residential District, as requested; unanimously recommended by the Cave Springs Planning Commission (CSPC); That upon the

conclusion of a properly advertised public hearing and meaningful deliberation, the City Council of Cave Springs, by unanimous vote, did APPROVE the above styled applications and request, Done this 14th day of June, 2016:

**Section 2.** This ordinance shall have full force and effect from and after its passage. Any ordinance or parts thereof in conflict with this ordinance is hereby repealed and declared invalid.

**Section 3.** The Official Zoning Map of the City of Cave Springs, Benton County, Arkansas is hereby amend to reflect the Lot-Split and Rezoning.

**PASSED AND APPROVED** this 14<sup>th</sup> day of June, 2016:

**APPROVED:**

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Travis Lee, Mayor

**ATTEST:**

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Kimberly Hutcheson, City Recorder | Treasurer

(SEAL)